PENNSTLYANIA'S SUPREME COURT IN AN UNUSUAL SESSION.

No Decision on the Appeal That the Trial Be Removed from the Philadelphia Courts Jurisdiction of the Court and Probability of a Pair Trial Discussed. PHILADELPHIA, Jan. 7. - Whether the Court of PHILADELPHIA, Jan. 7.— Whether the Courtof

Quarter Seasions of the Pence of Philadelphia

pil try United States Senator Quay for an

quality of the beef furn, shed the troops in will try United States Senator Quay for an alleged conspiracy to misuse the funds of a Porto Rico. Telegrams has a been sent to the benking association and to misapply funds brineipal packing firms of the country extendbenking association and to misapply funds therein deposited by the Treasurer of the ling termisalon to them to furn lab witnesses. In general conditions of the Supreme Court, which listened to arguments to-day. Setting aside all precedents in its former practice, the full their witnesses will be heard on Monday, and it bench of the Supreme Court sat for four hours is said that some interesting testimony will be to hear technical points argued, and for an who comprise the Supreme Court bench deliberated in private. It was expected that they would hand down a decree this afternoon, but at 4 o'clock all had left the Judges' chamber except Chief Justice Sterritt and Associate Justice Mitchell. These two jurists finally left, after an apparently earnest conference, and the office of the clerk of the court closed for

Since Oct. 3 the charge of criminal misuse of a bank's funds has hung over the heads of Matthew S. Quay. United States Senator, of Pennsylvania: his son, Richard R. Quay, and enjamin J. Haywood, former Treasurer of the State. They were accused of conspiracy to use the funds of the State of Pennsylvania and of a bank in which such funds were deposited, in private speculation, contrary to law, and these accusations were framed in a series of five indictments, unanimously presented by the Grand Jury for trial in the Quarter Sessions Court. The indictments were presented on Nov. 18, and after a suc-cession of technical expedients employed by counsel for Senator Quay and his co-defendanta, trial was fixed and ordered for Dec. 12. On Dec. 9, three days before that trial was to begin in the ordinary procedure of justice, two Justices of the Supreme Court, the Hon. Henry W. Williams, of Wellsboro, Tioga county, and the Hon. Henry Greene of Easton, Pa., ordered a stay of all proceedings in the trial until Jan. 7.

a stay of all proceedings in the trial until Jan. 7, on which day was made returnable a rule requiring the Commonwealth's counsel to show cause why a witt of certiorari should not be issued to remove the entire record of the case to the Supreme Court for review.

This unexpected move was without precedent in the custom and practice of the Supreme Court. The process of carrying up the record of a case for review has never been employed in this State except after final judgment of the court below. In this case there had been no trial and no judgment rendered, but the extraordinary proceeding seemed to be justified by the plausible petition of the defendants that undue haste had been exercised in pressing the case to trial,

pettion of the defendants that undue haste had been exercised in pressing the cases to trial, that the proceeding was inspired by political malice, and that an inflammatory state of nublic sentiment prevented an impartial trial in the county of Philadelphia.

These are the polits upon which the Supreme Court would six in judgment, it was expected, next Monday, but which they heard by their own election, and out of the ordinary proceedure, to-day. In answer to this plea the Commonwealth presented the fact that more than two months elapsed between the preliminary hearing and the date fixed for trial, an unusual delay caused by the intervening efforts of counsel for the defendants, and that their plea that an impartial trial could not be had in Philadelphia was an asystemic against the integrity of the twelve Julges of this county. District Attorney Grainam called attention to the act approved June 24, 1855, establishing an intermediate court of appeal in Fennsylvania, now known as the Superior Court. The sewenth section of that act says that this intermediate court of hall have "exclusive and final appellate juriscidings of the Feance of the reace of the reach of the reac

the public mind that would prevent a fair and impartial trial."

On this point Mr. Graham quoted authorities at length, mainly from decisions of the Supreme Court and some of the eminent jurists that sat upon the benchin the past. He quoted the act of 18% the language of the Constitution of 1874, and succeeding enactments which aimed at the distinct purpose of relieving the Supreme Court of exercising the power of certiferar in cases arising from the criminal courts. He quoted a succession of deliverances of the Supreme Court itself in recent years on that very point. He quoted Justice Mitchell's own words that the power of certiforari was for "exceptional cases only."

Rufus E. Shapley of counsel for Senator Quay made the closing argument and the court then adjourned. A decision of the court is expected on Monday.

MUSTER-OUT OF THE SIXTY-NINTH, The War Department Has Not Decided to Have It Done in This City.

WASHINGTON, Jan. 7 .- The War Department s not decided whether it will muster out the Sixty-ninth New York Regiment at Huntsville. Ala., or in New York city. Gov. Hoosevelt was notified last night of the decision of the Adjutant-General that the regiment could not be sent to New York for muster-out unless suita-ble quarters were provided for it there, without expense to the Government, and to-day the department was informed that quarters had been secured. There is a disposition on the part of department officials in charge of the matter to oppose favorable action on the request. They contend that the muster-out can be accomplished much better at Huntsville, where all the mustermuch better at Huntsville, where all the musterrolls are. The fear expressed by the New
Yorkers who brought the matter to the attention of the department, that if the men were
mustered out in Huntsville a great many of
them would have no money when they reached
New York, and their families would suffer in
consequence, is viewed with impaliance by the
department officials. They say that the department is not a guardian of discharged soldiers and does not supervise the expenditure
of their pay. It was explained by one official
that there will be little danger of excesses on
the part of men on the homeward journey
after muster out in Huntsville, as they would
proceed home in companies and still be under
military restriction.

Department of flights say that the salisted

after muster out in Huntsville, as they would proceed home in companies and still be under military restriction.

Department collicials say that the sulisted men want to be mustered out at Huntsville because they will make something out of the travel allowance, which they would not receive if mustered out in New York. Under the terms of the House bill, which passed the Senate this afternoon, the Sixty-ninth will receive thirty days additional pay onlicing mustered out. Some further correspondence will be necessary before the department decides what to do.

Mayor Van Wyck sent the following telegram to Adjt.-Gen. Corbin at Washington yesterday:

"The city of New York offers to the War Department quarters for the Sixty-ninth Ragisment if they are sent to New York for mustering out."

THE DISPUTE OFER ARMY BREE.

Gen. Ea tan and Packing Firms to B

Washingto, N. Jan. 7.—Many witnesses are to be examine, I next week by the War Investigating Commia viou regarding the beef supply of the army duria the war with Spain. The commission to-day granted the request of Gen. Eagan, Commis sary-General of Subsistence, that he be allows, I to appear again to reoffered. It was reported to-day that Swife & hour after the adjournment the seven Justices | Co. are prepared to show that a Government inspector inspected all the beef supplied the army, both before and after killing and dressing. Inspector Defoe, who, it is said, represented the Government, has been asked to appear before the commission and is expected next week.

pear before the commission and is expected next week.

Gen. Eagan has made public the statement of Lieut. Col. O. E. Wood, Chief Commissary of the Seventh Army Corps, testifving to the good quality of the beef furnished the troors and in refutation of Gen Milee's charse that the beef was embaimed. Col. Wood's letter is dated at Camp Columbia, Havana, Deo. 31, and includes an extract from a report which he made to Major-Gen. Fitzhugh Lee on the same subject. In this report tol. Wood said:

"The meat supplied by Armour & Co. is excellent in quality, but after delivery from a refrigerator car must be handled properly and without any delay. Whenever a well-founded complaint has reached me I have at once given such directions that it has been corrected, except in certain cases where resi-

without any delay. Whenever a well-founded complaint has reached me I have at once given such directions that it has been corrected, except in certain cases where resimental boards have taken the matter in their own hands, in defence of army custom, and condemned the entire issue of beel, when a careful and judicious trimming away of the tainted parts would have left the bulk of the meat sweet and good, thus causing a useless waste of the most desirable part of the soldiers' ration. Constant and unceasing supervision and attention are given the question of a proper food supply for the troops in this corps, and it is believed by me that any complaint is groundless, so far as the administration of the Commissary Department is concerned, and that it is, entirely due to the almost criminal negligence on the part of regimental and company officers in not supervising and controlling in a proper manner the care, preservation and issue of the soldiers' ration."

In his letter of Dec. 31, Col. Wood says:

"From May 31 to Dec. 11 i have had dealings with the Cudahy Packing Company, Armour & Co., and Swift & Co., all of whom have supplied refrigerated beef to the troops of this corps, and it has given universal satisfaction. While stationed in Jacksonville I made several inspections of the refrigerator plant of Armour & Co., and always found the meat in good condition and all the appurtenances, spotentify has ever reached me in my official capacity. After seven long menths in a hot climate and with the prospect of many more in the teland of Cuba. I am of the opinion that refrigerated beef, if it is properly handled immediately after the issue, will give better satisfaction than to have lean grass-fed Texa steers sent here to be killed and eaten on the same day."

ARMY ORDERS. Assignments of Officers to Regiments-Changes in Stations. WASHINGTON, Jan. 7.-These army orders

The following assignments of officers to regiments are announced; Major Charles A. P. Hatfield (promoted from Captain, Fourth Cavalry), to the Eighth Cavalry, Major John B. Eerr (promoted from Cap-tain, Sixth Cavalry), to the Tenth Cavalry, Major Joseph H. Dorst (promoted from Captain, Fourth Cavalry), to the Second Cavalry, Major George S. Anderson (promoted from Captain, Siath Cavalry). to the Seventh Cavalry; Capt. Lester W. Cornish (promoted from First Lieutenant, F)fth Cavalry, to the Ninth Cavalry; Capt. Tyree R. Rivers promoted from First Lisutenant, Third Cavalry, to the Fourth Cavalry; Capt. Albert L. Mills promoted from First Lisutenant, Third Cavalry, to the Fourth Cavalry; Capt. Albert L. Mills promoted from First Lisutenant, Frist Cavalry, to the Sixth Cavalry; Capt. John A. Lockwood tyreemoted from First Lisutenant, Fourth Cavalry, to Troop M; Capt. Henry T. Allen promoted from First Lisutenant, Fourth Cavalry, to the Sixth Cavalry; First Lisut, Samuel P. Lyon (promoted from Second Lisutenant, Twenty fifth Infantry; to the Sixteenth Infantry; First Lisut, William T. Schenck orsomoted from Second Lisutenant, Teath Infantry; to the Sixteenth Infantry; First Lisut, William T. Schenck orsomoted from Second Lisutenant, Teath Infantry; to the Twenty-fifth Infantry; Major Winfeld S. Edgerly, from the Sixth Cavalry to the Seventh Cavalry; to the Seventh Cavalry; Major George S. Anderson, from the Seventh Cavalry; Infantry; to the Seventh Cavalry; Second Liseut, T. S. Smith and W. P. Wooden and aliditional Second Liseut, A. A. Fries, Capps of Engineers, are relieved as members of the general court-martial convened at Willets Point, N. Y. First Liseut, G. P. Howell and Second Liseut, Edwin R. Stuart, Sherwood A. Chency and Frederick W. Altsaetter, Corps of Engineers, are detailed as members of the Army Retiring Board, vice Capt. Edward L. Munson, Assistant Surgeon, relieved.

Major John H. Caler, First Artillery, assistant music ring officer for the Sate of New York, will proved to Join its command.

Major Samuel D. Sturge, Assistant Adjutant-General, relieved from duty in the Department of Pantrage, will report of the Major Charles G. Starr, Inspector-General, relieved from duty in the Department of Pantrage, will report the Ninth Cavalry; Capt. Tyree R. Rivers promoted

Major Charles G. Starr, Inspector-General, relieved duty in the Department of Santiago, will report for General Henry W. Lawton for duty on his and accompany him to Manila, Philippine Major Rafael Eclaverria, Brigade Surgeon, relieved from dur, with Fourth Army Ovrps, will proceed to Havana, Cuba, and report to Major-Gen. John R. Havana, Cuba, and report to Major-Gen. John R. Hroshe for assignment.

tapt. Beverly W. Dunn, Ordinance Department, will proceed from Frankford Arsenal, Philadelphia, t. Sandy Hook proving ground, on business pertaining to the test of an perimontal shrapnol.

Capt. Charles A. Williams, Twenty-first Infantry, is detailed as Collector of Customs at the sub-port of Nuestras, Cuba, vice Capt. George A. Cornish, Fifteenth Infantry, relieved.

ARMY APPOINTMENTS.

Col. Wherry, Seventeenth Infantry, to Be Brigadier-General. WASHINGTON, Jan. 7 .- Among the nomina-

tions sent to the Senate to-day by the Senate

Col, William M. Wherry, Seventeenth Infantry, to he Brigadier-General, and Major Henry H. Humphreys, Twelfth Infantry, to be Lieutenant Colonel.
To be Majora—Capt. William Quinton, Twenty-fifth Infantry: Capt. Harry G. Cavanaugh. Fifteenth Infantry: Capi. Jesse C. Chance, Thirteenth Infantry; Capt. C. H. Noble. Sixteenth Infantry: Capt. John P. Stretch, Tenth Infantry: Capt. William P. Rogers, Beventeenth Infantry; Capt. Henry Seton, Fourth In-fantry. Tantity.

To be Chief Commissaries of Subsistence and Majors 'ant. Carrol Mercer, Commissary of Subsistence, and First Lieut. James M. Arrasmith, Second Infantry.

tence, and First Lieut James M Arrasmith, Second Infantry.

To be Chief Quartermasters and Majors—Capt. Chaumer B. Baker, Assistant Quartermaster, and William J. White of Ohio.

To be Inspector and Major—Robert H. Rolfe, First New Hampshire Infantry (and confirmed by Sciate).

To be Deputy Surgeons-teneral to rank as Lieutenant-Colonels—Majors K. A. Roerper, Calvin De Witt and Benjamin F. Pope.

To be Chief Surgeons with rank of Majors—Capt. Edgar A. Mearns, Assistant Surgeon; Capt. Charles M. Gaudy, Assistant Surgeon.

To be Surgeon with rank of Major—Capt. George E. Bushnell, Assistant Surgeon.

To be a Second Lieutenant in the army, Juan Ashton Boyle of Nebraska.

Mr. Boyle is the son of Juan Ashton Boyle a

Ashton Boyle of Nebraska.

Mr. Boyle is the son of Juan Ashton Boyle, a prominent Democratic politician of Nebraska and a nephew of the late Commodore Boyle, U.S. N. He enlisted as a private in the Twenty-second Infantry, was promoted to Sergeant, and as such served in the Santiago campaign.

Sergeant, and as such served in the Santingo campaign.

For gallant conduct in the battle of El Caney, where he captured the first Spanish flag taken by the army, young Boyle was recommended for promotion by Gens. Kent and Lawton. Carrying out this recommendation, the President in September deelgnated Boyle for appointment as Second Lieutenant, subject, however, to the rigid mental examination for that office. He passed the examination successfully, and to-day the President sent his name to the Senate.

Three More Regiments to Be Mustered Out WASHINGTON, Jan. 7 .- Orders for mustering out three more volunteer regiments were isare the First West Virginia, at Columbus, Ga.; the Second Ohio, at Macon, Ga., and the First Territorial Regiment, at Albany, Ga. Each officer and enlisted man will receive thirty days' additional pay, termed "a gratuity" by the War Department, and a travel allowance of 80 cents for every twenty miles to the place of enrollment.

Deaths of Soldiers in Cuba.

WASHINGTON, Jan. 7 .- Major-Gen. Brooke reports these deaths of enlisted men of the Fifteenth Regular Infantry in the regimental hospital at Puerte Principe, Cuba: Joseph Moras, Company E. Jan. 3, toxacomis, and John I, Sleit, Company F, Jan. 4, typhoid.

DE ZAREMBA IN THE TOMBS.

SAYS HE NEVER STOLE ANY MONEY AT ST. STEPHEN'S HOME.

His Wife, Frank Savin's Daughter, Does Not Appear in Court, but Is Said to Be on the Best of Terms with Him-Prisoner a Doctor Who Practiced in Washington. Maryan de Zaremba, a Pole, 41 years old, was arraigned in the Centre Street Police Court yesterday morning, charged with stealing \$40.50 from the Rev. Stephan Szymanowski, pastor of St. Stephen's Roman Catholic Church in Perth Amboy, on June 15 last. As told in THE SUN yesterday morning. De Zaremba was arrested on Friday night at his lodgings, 47 West 140th street, by Policemen Farrington and O'Sullivan of the Centre Street Court squad and locked up in the Leonard street police station for the night. A war-rant had been out for him for several months, but, after tracing him from once place to an-He leaded not ruilty, and was locked up in the To mbs in den wit of \$1,000 ball for exam-

ination to morrow morning.

Father 8 ymano vski was in court yesterday morning to vestify against De Zaremba. The priest said that he fig at met the Pole in a Washington drug store flav years ago. De Zaremba was introduced to ha n as a physician of high standing in Washington, a graduate of the University of Vienna and the scion of a distinguished Polish famRy. The priest was further told that De Zarembals father and brother were officers in the Russian Army. The next time Father Szyman weski saw de Zaremba was in Nassau street, this city, on Dec. 28. 1807. The Pole wore a summer suit, was without an overcoat and looked extremely seedy. He told the priest that he had come to New York to practice his profession, but had got no patients and could not g et other work to do. The Pole told an excellent h and luck story, but did not ask for assistance. The priest felt sorry for him, took him do a restaurant for a square meal and told him he trought he might find some work for him.

Father Szymanowski is at the head of St. Stephen's Home, a Polish charit, at 3 Morris street. He says that on Jan. 1, 1888, he gave de Zaremba a job as agent for the home at \$20 a month with board. His salaty was sub-

de Zaremba a job as agent for the home at \$20 a moath with board. His salary was subsequently raised, on account of the excellent character of his work, to \$50 a month. Part of de Zaremba's duties was to attend to the wants of I bles unable to speak English who tempora tily resided at the home. Last August, the M. ther Superior discovered, so the priest says, that de Zaremba had misapproprinted money whit babe had given to him to buy steamship tickets for Poles about to return to Europe. The priest says that de Zaremba was accused of stealing a oney on Aug. 30, and contessed to having taken \$440.40.

Three days inter, a coording to the priest's story. De Zaremba way a letter to him in which he confessed to large stolen \$510,000 more, intrusted to him fo, the same purpose. De Zaremba asked the priest to forgive him. The priest swore out a warract, but De Zaremba had disappeared.

After leaving the home De Qaromba drifted to Saratoga. There he met Johaphine Savin, the daughter of Frank W. Savin, the broker, and in the latter part of August he married her. The marriage was not announced cutil weeks afterward, while De Zaremba sent her husband many expensive Christmas presents, and is living appart from him only until he can provide for her as she is accustomed to live. Mrs. de Zaremba was not in court yesterday. Before he was taken to the Tomba, De Zaremba said: "It has been stated that Leal myss if a count. I do not and never have done so, I never claimed to be anything which I am not. I studied medicine in Vienna and Paris and then came to this country. I took up my residence in Washington became a citizen of the United States and opened an office. I attended members of the Russian Legation for a year and a half. I never stole money from any one. Father Szymanowski hae made a mistake, which will, I think, be corrected."

A Washington despatch to The Sun confirms many of De Zaremba's statements. He was lirst heard of in Washington about seven years ago. For a time he was an attendant at the droven members of the

TEACHER ON TRIAL.

Young David M. Williams Accused of Cruelly Beating a 13-Year-Old Pupil.

East Moniches, L. I., Jan. 7.-Proceedings in the case of Principal David M. Williams of the East Moriches school will go over until next Friday, when a Justice's Court jury of six will try the principal on the charge of as-saulting frying Terry, a 13-year-old pupil. Principal Williams, who is barely of age, de-manded a trial by jury yesterday when arraigned before Justice R. P. Howell through his counsel, George H. Furman. Lawyer R. S. Pelletreau of Patchogue appeared for young Terry, who was carried into court in a chair. Justice: Howell said that the trial would be by a drawn jury, and that he would put the defendant under \$200 bail. "I don't know where I can get ball," said

fendant under \$200 bail.

"I don't know where I can get bail," said the young man, uneasily looking around. "I'm a good deal of a stranger here.

"I'll go your bail," said Horaes Raynor, who is a relative of one of the boys beaten at the same time with young Terry.

Mr. Raynor's bond was accepted and the trial set down for Friday morning at 10 o'clock. The village is much worked up over the case, and the people have taken sides with strong partisanship, the majority of sentiment being against the principal. He does not deny beating the four boys, Terry, John Drake, Walter Raynor, and Gilbert Higgins, a negro, with a length of rubber hose, but he declares that the punishment was justified.

Higgins, he says, was guilty of improper conduct toward a 10-year-old girl pupil at recess on Thursday, and was egged on to annoy her by the other boys. He beat them all after recess, and again beat all execut Higgins, who ran away during the afternoon session, when school was dismissed. There is no doubt as to the severity of the punishment. Young Terry's legs are badly swollen and diaviolored. From a point half way up the thigh to below the insten there is not a spot of unbruised fesh as large as a dime. There are also bad truises on the boy's wrists. Drake, after his flogging, was unable to walk home. The other two boys were not so badly hurt.

The families of the flogged boys are very bitter against the young principal, and declare that no matter what may be the outcome of the legal trial they will make it impossible for him to continue his teaching in the school here. He has been here since the opening of the school year last September and has never before been critteised for over-harsh punishment. Corporal punishment in school is not opposed here on urinciple, but the severity of the whipping in this case has brought about a revolution of public sentiment, and there is some talk of abolishing it entirely.

Naval Orders. WASHINGTON. Jan. 7 .- These naval orders

have been issued:

Chief Eng neer T. Williamson, from special duty in connection with coaling ships at sea, to home: Chief Engineer B. B. H. Wharton, retired, from duty as inspector of material at Thurlow, Pa., to home: Passed Assistant Engineer J. T. Sunth, retired, from the navy yard, Norfolk, to home: Assistant Engineer W. O. Chrisman, retired, from the navy yard, New York, to home; Chief Engineer H. B. Nones, retired, York, to home; Chief Engineer H. B. Nones, retired, from the works of Harlan & Hollingworth, Wilnington, Del. to home; Chief Engineer R. S. Griffin, from the Mayflower, when out of commission, to the Bolphin; Passed Assistant Engineer B. C. Bryan, from the Bolphin to the Burear of Steam Engineering; Passed Assistant Engineer B. C. Bryan, from the Bolphin to the Burear of Steam Engineering; Passed Assistant Burgeon I. W. Rite, appointed Surgeon, with the relative rank of Lieutenant; Lieutenant-tommander W. H. Turner, from the Scorpion to the Constellation; Euslen A. J. Wadhams, from the Mayflower to the Detroit; Ensign C. J. Jowell, from the Mayflower to the Detroit; Ensign C. J. Jowell, from the Mayflower to the Detroit; Lient, F. B. Underwood, from the Yanke to the Alliance as easen two officer; Naval Cadet C. T. Vowen, order of the St detaching from the Initians and to the Viron revoked, Lieut. J. Franklin, retired, from the Urreau of Navigation to home. Lieut. J. C. Soley, retired, from the Vermont to home; Lieut. W. Allderdice, from the Vermont to home; Lieut. W. Allderdice, from the Vermont the Solare to home; Lieut. W. Allderdice, from the branch hydrographic office, Chicago, to home; Ensign A. Houston, from the Newark to home; Ensign A. Houston, from the Newark to

Reception Tendered to Gov. and Mrs Roosevelt.

ALBANT, Jan. 7 .- The first society function that Gov. Roosevelt is to attend in an official capacity will be the annual reception tendered hospital at Puerto Principo, Cuba: Joseph Moran, Company F. Jan. 3, toxacomia, and John I, Slott, Company F. Jan. 4, typhoid.

Managers, Bookkeepers, Cashiers and sroute of all descriptions may be found by making known their requirements through Tax Sus's advertising columns. 46s, the Governor and Mrs. Roosevelt and the mem

ITALIANS GIFE UP AN ASSASSIN. Hulberry Street Abandons the Vendetta an

Once Recognizes the Law. Mulberry street gave evidence yesterday that it is being gradually annexed to the United States. An Italian bravo was soized in a erowd of his countrymen, and not only did they not try to shield him, but they actually helped his captor drag him to be confronted by his victim. And they saw him looked up without a murmur. Ten years ago the orime would have started a vendetta that would have run its course without the police once getting

on the inside of it. There had been a tin wedding in the tenement at 217 Mulberry street and the men had adjourned at 2 o'clock in the morning to the café on the ground floor to have a parting smoke. One by one the guests had dropped out, leaving only the crippled fiddler, Michselo Cossio, and the café keeper, Peppino Volenting, with a night prowler who had dropped in from the street. The prowler was Fran-

in from the street. The prowier was Francisco Baienti of 191 Mulberry street. They talked awhile, and then the fiddler and Volontino fell asiece.

It was within an hour of daybreak when the latter was awakened by the sound of a seuffle. He saw Balenti, halless, retreating toward the door, brandishing a kuile, the cripple ambling after him without his crutch, blood streaming from his neck. He cried that he had been killed, and Balenti threatened him with vile oaths if he came nearer. Balenti slammed the door and went out. The fiddler fell on the floor.

oaths if he came nearer. Balenti slammed the door and went out. The fiddler feil on the floor.

Volentino steeped out silently and followed the man with the knife. He tracked him through Prince and Mott streets to Houston street, where Balenti mingled with a lot of his countrymen and stood around as if nothing had happened. Then the oafé proprietor atole up behind him, and, seizing his hand, heldlit, demanding where the knife was. Balenti scowled and snarled that he did not understand English. The crowd gathered around, darkly attentive. Volentino kept his grip on his prisoner and spoke to them. He told them that the man he held had just killed a man in his place and that he had tracked him down to where they were. Before he had finished a burly Italian seized, the flellow by the Jother shoulder, and turning his fare toward Prince atreet, bade the cafe keeper lead on. The crowd fell in. The queer procession marked an epoch in Mulberry street. Law and order for once had triumphed against the knife.

They led their prisoner to the cafe where the fiddler lay helpless. He identified him at sight. Balenti scowled and denied that he had ever been in the place, but his hat on the floor, covered with sawdust, bore witness against him. He was looked un and the cripple was taken to the hospital. Cossio could not ruess, nor could any one else, why the man had stabbed him. They hardly knew each other. His wound is a dangerous one and may prove fatal.

WILL DR. SPROULL RESIGN+ Members of His Congregation Think He

Ought in the Interest of the Church. When the Rev. Dr. R. D. Sproull, the pastor of the Noble Street Presbyterian Church in

Greenpoint, was stricken with paralysis last April and incapacitated from attending to his duties, the trustees paid his salary regularly for three months. Then at a meeting a suggestion was made that his salary be reduced, so that the supply preachers could be paid. Dr. Sproull consented to a reduction and requested that he be permitted to supply the preachers. Among the ministers who preached in the church was the Rev. S. T. Campbell of Toronto, Canada. The congregation became so impressed with his work that many of them expressed the opinion that, if Dr. Sproull should decide to regign, the Rev. Mr. Campbell should be his successor.

pressed the opinion that, if Dr. Sproull should be his successor.

The trust ses determined to wait until the first of the year before taking any action. It was the belief of many that Dr. Sproull would take some action regarding his church work. He failed to do so, and at a meeting held on Thursday night some of the members of the church said that the best interests of the church would be served if he resigned. A son of Dr. Spioull became greatly excited and strought denounced the remarks of Marvin Driggs, who spoke in a kindly manner of the clek clergyman, but thought it would be better for the church if he resigned. No action was taken at the meeting, and another will be held next week, at which some of the congregation will urge that the pastor's resignation be demanded.

Thes jury in the case of Frank W. Anthony, the Ir surance broker, who was tried in the United, States District Court in Brooklyn for United, States District Court in Brooklyn for the alla ged fraudulent use of the mails in selling policies in bogus insurance companies, after deliberating for nearly ten hours without reaching an agreement, were allowed to go home at an early hour yesterday morning under instructions from Judge Thomas. Their sealed communication to Judge Thomas will not be opened until this morning. The jury, it is said, stood 11 to 1 for conviction.

Thomas Foley, who killed George M. Tyler in a fight under the Montgomery street bridge in Jersey City on Wednesday night, was re-leased on ball yesterday to await the action of the Grand Jury. The ball was fixed at \$1,000, and was furnished by Boulevard Commissioner Daniel T. Lewis.

The low pressure which was in the Tennessee. Valley has moved northeastward, and in so doing caused rain in the Middle Atlantic, South Atlantic and Gulf States. It is now central in the lower St Lawrence Valley. Rain was falling yesterday in the lake regions, the New England States, and on the border of the Atlantic coast States. The heaviest rainfalls reported were at Lynchburg, 1.00; Phila-delphia, 1.24; New York, 1.16. In all other districts the weather was clear and

much colder. The zero line extended from the lake regions southwest, including the upper Mississipp. and Missouri valleys. Freezing weather covered all and Gulf States.

In this city it was clear and cold; wind north westerly; average velocity 25 miles an hour; highest temperature St*, lowest 28°; barometer

The temperature as recorded by the official the street level is shown in the annexed table: -Official Sun's -Official Sun's 1899, 1898, 1898, 1899, 1898, 1899, 1898, 1899, 1898, 1899, 1898, 1899, 12 M ... 25° 41° 29° 19 P. M 25° 38° 29° 3 P. M .28° 40° 20° 12 Mid .25° 34° 21°

WASHINGTON PORECAST FOR SUNDAY. For New England and eastern New York, fair; high

westeriy whide, diminishing.
For the District of Columbia, eastern Pennsylvania, New Jersey, Delaware, Maryland and Virginia, fair till Monday; warmer; light southwesterly winds, becoming variable.

Ohio, fair; warmer; fresh southwest winds.



The blacksmith can weld pieces of iron, but we cannot weld our remnants, so we must get rid of their former cost. Suit to order, \$14.00. Coat and vest, \$10.50. Trousers, \$4.00. Overcoats, satin lined, \$18.00.

lined, \$30.00. A year's guarantee or money

ARNHEIM, Broadway & 9th Street. RAILROAD AGENT KILLED.

NIGHT OPERATOR AT BINGEN, PA. MURDERED BY A YOUTH Llewellyn Stout Steals Into the Office of H.

H. Wurster in a Village Near Bethle-hem and Kills Him with an Iron Bar-

Robs the Money Drawer-His Confession EASTON, Pa., Jan. 7.-Night operator H. H. Wurster of Bingen, a small station on the North Penn branch of the Philadelphia and Reading Railroad seven miles below Bethlehem, was murdered at his post about 12:45 this morning. The discovery of the murder was made about 3 o'clock. Llewellyn Stout, a youth of 17 living near by killed Wurster. He is in jail here, and has confessed. Wurster was 24 years old, and leaves a widow and child. He was the night station agent, and had charge of the money drawer, ticket office and express com-

pany's office. The office was rifled.

Wurster was a good operator and very careful. He worked steadily at his key last night until 12:45. After that no reply could be had from him, though he was repeatedly called by other operators. Trainmen were instructed to stop at the station, and, if he was asleep, to wake him up. At 3 o'clock a local freight drew up to the station, and the fireman yelled for Wurster, but received no response. Then a trainman went into the office. He saw Wurster seated at his desk, apparently asleep. He was dead, however. His head had been crushed by a blow. One arm was by his side and the other rested on the table in front of him, his fingers near the telegraph key.

The railroad men were horrifled. A glance showed that the office had been ransacked. It was plain that Wurster had been murdered by some one who had robbed the office. The murderer had crept in upon him unheard. As the night was stormy and the wind blew constantly, the sounds of the murderer entering the office were probably drowned in the rattling of the windows and the blowing of the wind and the driving snow. The murderer had crept up behind Wurster and knocked him unconscious with a heavy har of from. He sank in his seat, never knowing what struck him or that his life was in danger. Then the murderer, to make sure of his work, fired two bullets into Wurster's body. Despite the confusion of tracks in the snow about the station, Detectives Johnson and Boran found a suspicious trail leading to the house of Ell Stout. They followed the footprints direct to Stout's house, and going in found Llewellyn Stout, a stepson of Ell Stout, in bed, though the rest of the family were all astir. The officers examined Llewellyn's choes and found they fitted the tracks. They then arrested him. He denied the charge. He said he was one of Wurster's best friends and would not think of harming him. He admitted that he was in Bingen last night and was drinking. He did not remember how he got home, he said. blew constantly, the sounds of the mur-

said. Stout was brought to jail here to-night by De-stives Johnson and Doran. Johnson worked

he said.

Stout was broughtto jail here to-night by Detectives Johnson and Doran. Johnson worked with Stout from 3 until 5 o'clock this afternoon before he broke down. Then he told how he had gone to the station and had killed Wurster in orderto get the money he knew the latter had. He had hunted for a club, but not finding any, he had taken a railroad coupling vin and struck Wurster over the head with it. Then he struck him three more times, and that made him a murderer. He said he ransacked all the drawers in the office, but returned all but the money. This amounted to \$15.11 and it was all he got.

At first Stout said there was a fight, but later he denied this and said there was no fight, and Wurster did not know of his presence or the intention to attack him until he was rendered heipless by the first blow. Stout, after confessing, said he fell greatly relieved. He took the detective to the outhouse at his home, a mile from Bingen, and produced all the stolen money but two dollars. Taking Detective Johnson into the house, he drew the rest from a hiding place in a sofa.

Stout made another confession to Warden Bachman at the jail, but did not give any new details. Stout is but 17 years of age. His father is dead. His mother married her brother-inlaw, Eli Stout.

FOUND A MASS OF HUMAN BONES. They Were Under a Street's Surface in Rich

RICHMOND, Va., Jan. 7.-City laborers to-day lug a trench in the centre of Fifth street, near the city almshouse, and in what now is a populons district. They struck a large deposit of human bones. In many cases the skulls and larger bones. In many cases the samis and larger bones were whole. The skeletons were packed closely together, as if buried in one large grave. Dark stains and shapes in the earth show where coulins one existed. About 200 skeletons were found in a trench seven feet wide. No digging was done on either side, and the extent of the burial place is not known. either side, and the extent of the burial place is not known.

How the bodies got there is a mystery. An old citizen suggests that they were the bodies of victims of a choiera epidemic here in 1840, when the place where they are buried was then waste land. The street grade where the bodies were found has been lowered in late years. The bones were only two feet under ground.

DANBURY, Conn., Jan. 7 .- George Gorman, a of this city a puzzling chase for three weeks. He was arrested this evening on several charges of robbery. He planned and carried out the erimes without assistance, he says. He has been breaking into business places, and, jumping on to freight trains after his night's work, has gone to neighboring cities to siude the police. He returned to Danbury to-night and a brakeman handed him over to the police, who found considerable stolen property upon him.

Mrs. Regina Werner has got a verdlet of \$3,000 from a jury in the Supreme Court in Brooklyn in her suit against the Atlantic Ave-nue Railroad Company for the loss of her hus-

IN THE GRIP EPIDEMIC Special Use of Hot Grogs

Dr. CYRUS EDSON of New York Health Department, and Dr. LIBERMANN, Surgeon General of the French Army.

H. Libermann, M. D., Surgeon General of the French Army, in an article on "La Grippe" (Influenza), recommends the following hot grog: "One-third goblet of Vin Mariani, with two-thirds boiling water, cloves and cinnamon, and with or without sugar, makes a grog of exquisite flavor, which produces immediate beneficial effect in severe cases of cold, attended by convulsive coughing and depression. It is best taken at bedtime. In the grip epidemics in France it was the tonic absolutely relied upon. and has received frequent deserved mention in the Medical Press. It has been shown that patients recover very slowly. There is much general weakness and lassitude invariably calling for something in nature of a mild tonic stimulant, and it has been found that Mariani Wine is unequalled for such cases."

Dr. Cyrus Edson of the New York Health Department has made a careful study of the subject, in his book on "La Grippe," published by Appleton & Co. On page 39 he writes of Vin Mariani and calls special attention to it in the form of a hot grog. In speaking of the comthem. Your pick regardless of plete prostration accompanied by the depression caused by this disease, and also during entira convalescence, his preference for a tonio stimulant is a hot grog of Vin Mariani. He says it is excellent for the run se intended. and recommends its use freely. The remedy is Special sale, full dress, silk simple and within easy reach of all who suffer from this dreaded disease.

A book with further explicit details will be sent by Mariani & Co., 52 West 15th St., New York, to any one who will write requesting same. It is certainly well worth writing for. In addition to the able authorities quoted, the book offered contains many more similar and most convincing indorsements, thus prov-

of this character.-Ade.

JEFFERSON DE ANGELIS

LUDLOW PARK, YONKERS, N. Y., March 10,:1898,

R. T. Booth Co., Ithuca.

GENTLEMEN-I received the package of "Hyomei," and wish to express my sincere thanks for the same. IT ALWAYS AFFORDS ME IMMEDIATE RELIEF when used, and I consider it a wonderful remedy.

He considers "Hyomel" a wonderful remedy.

Yours as ever.

AT.WAYS AFFORDS IMMEDIATE RELIEF. Just imagine, if you can, what this means to ne who taxes his vocal cords to the utmost nightly, and to whom a severe cough or cold means the loss of hundreds of dollars. Mr. De Angelis carries this little physician in his vest pocket constantly. The moment a cough or cold begins, he kills it at once with a few inhalations of Hyomei. No sticky, sickening stomach medicines are used; no sprays, douches or atomizer needed. "Hyomei," the only dry air germicide known, is carried to all parts of the head, forcat and lungs in the air you breathe.
"Hyomei" is guaranteed to cure Catarrh, Bronchitis, Pneumonia and Consumption, or pour

Hyomei Outlits, \$1.00. Extra Bottles, 50c. Hyomei Dyspensia Cure (Guaranteed), 50c. Hyomei Balm, 25c.

Free distribution of samples and demonstration for one week, beginning Jan. 9th, at the store of BENDINER & SCHLESINGER, 47 8d av., N. Y. City.

R. T. BOOTH CO., 18 West 34th St. (Astor, Court Building), N. Y. City.

FORGER NABBED AT HOME. CHECK-RAISING OUTFIT IN A FORTY-

THIRD STREET FLAT. John Nonne, Wanted in Chicago for Forger

ies, Bented the Rooms-Traced by Tele-gram to a Woman-Believed to Have Been Leader of a Gang Working Here, Four Chicago crooks were prisoners in the Jefferson Market Court yesterday. Their arrest by Detectives Price and Kiernan of the Central Office is believed by the police to mark the breaking up of a gang of forgers whose

the breaking up of a gang of forsers whose work in this city became known through the recent arrest of Walter Dixon. Dixon tried to pass a check for \$751 signed by Schinasi Brothers, drawn on the German-American. Bank and indorsed with the name of John C. Stanley, Frank A. Parker, who is said to be the son of a wealthy Chicago broker, was arrested a few days later charged with being Dixon's accomplice.

The cleverness displayed in the forgery of the Schinasi Brothers' check made the police think that John Nonne, known through the West as a forger, was in the deal, Information had been received that Nonne had left Chicago, where he is wanted for the forgery of five checks aggregating \$1,500. The detectives say they learned that Nonne had been living with Dixon in a flat at 141 West Sixtyser that he company of two women, Hazel Dickson and Mabel Morris, who live in that vicinity. A third detective was assigned to watch these two women. Two days ago Mabel Morris, who live in that vicinity. A third detective was assigned to watch these two women. Two days ago Mabel Morris, who live in that vicinity. A third detective was assigned to watch these two women. Two days ago Mabel Morris, who live in that vicinity. A third detective was assigned to watch these two women. Two days ago Mabel Morris, who live in that vicinity. A third detective was assigned to watch these two women. Two days ago Mabel Morris, who live in that vicinity. A third detective was assigned to watch these two women. Two days ago Mabel Morris, who live in that vicinity. A third detective was assigned to watch these two women. Two days ago Mabel Morris, who live in that vicinity. A third detective was assigned to watch these two women. Two days ago Mabel Morris, who live in that vicinity. A third detective was assigned to watch the secured it. Nonne wrote that he had the autopsy, testified that was and that the pad been and that the sation had been and protective secured it. Nonne wrote that he had to be days that a woman came to her home. The days the from the Knickerbocker Hotel, and the detective secured it. Nonne wrote that he had rented a flat at 250 West Forty-third street, but that he did not intend to stay there long as

but that he did not intend to stay there long as the fly cops were hot on his trail. He asked her to call at once and to knock, three times when she came.

The janitor of the house at 258 West Forty-third street told Detectives Price and Kiernan when they asiled on Saturday that the flat was occupied by two prominent aerobats, the Morris brothers, and their father, John Martin. The detectives knocked the required three times and were admitted by Nonne. They handcuffed him and found Martin in an inside room. He was recognized as a grook

They handcuffed him and found Martin in an inside room. He was recognized as a crook known as the Farmer.

There were three large desks in the five rooms of the flat. Blank checks, tracing paper, large quantities of writing pens of every description, and all kinds of writing materials were in the desks. There was a piano in one room and a complete optum smoking lay-out in another.

The description stand in the room until 1.20.

room and a complete optum smoking lay-out in another.

The detectives stayed in the room until 1:30 o'clock yesterday morning, when two men who gave the three-knock signal were admitted and arrested. They were Frank Baker, alias the Absent-Minded Rid, who has a reputation in Chicago as a pickpocket, and William J. Fields, alias the Dope, who finished a few weeks ago a term of two and a half years in Sing Sing for highway robbery. Nonne has at various times been known as John Williams, John Evans, the Kid and Jim the Fanman. He is only 25 years old, but he has all ready served terms in the State prisons of Illinois, Iowa and Wyoming, and the American Baukers' Association considered him so troublesome that they had employed a Pinkerton detective for the special purpose of watching him.

ton detective for the special purpose of watching him.

The police believe that Norne has been the leader of the gang here, but they do not think they can prove that the Schimasi Brothers check was his work. The business of the other three men has been, the police say, to procure checks for small amounts that could be raised or used for imitation. The soliciting of advertisements for a flettitious theatrical programme has been their chief method of obtaining these checks. Requisition papers for Nonne are now in the hands of the District Attorney and the chances of convicting him in a Chicago court are so strong that he New York police have decided to send him there. In the meantime he will be kept at Police Headquarters.

Martin, Baker and Fields were discharged by Magistrate Wentworth yesterday, as there was no direct charge against them. They have signified their intention of leaving New York at one.

The fact that Martin had a red beardied to

at onse.

The fact that Martin had a red beard led to the rumor that there had been an arrest in the Adams poisoning case, as the man who purchased the silver bottle holder in which the poison was sent to Harry Cornish is said to have worn a red beard, probably laise. Martin's beard was real.

Hard Coal Locomotives for the Long Island Road.

The Long Island Railroad Company is making an effort to get rid of the soft coal smoke nuisance which its engines create. The comcany recently gave an order for nine hard coal burning locomotives for fast express train-Burning locomotives for fast express trains and for six heavy consolidated freight engines. Besides these new engines, the company is changing a number of soft coal burning locomotives to hard coal burning locomotive are and twenty combined smoking and baggage cars, to be delivered in time for the summer travel.

No Big Fireproof Hotel for Brooklyn Yet. It seems that the recent announcement that the borough of Brooklyn was soon to be en-riched by the erection of a fifteen-story fireproof hotel at the southwest corner of Myrti avenue and Fullon street was arroneous. Dr. Peter Roosevelt Johnson of Sag Harbor, one of the owners of the much coveted corner, in a communication to Tak Bur Says. There has been no sale of this lot for \$500,000 or any other sum, no ninety-nine-year lease, and no fitteen-story fire-proof building is contemplated." ing it the most reliable of all known products

MRS. HART NOT CLEARED. Autopsy Showed That Carbolic Acid Killedi⁰

Mrs. Ryan. PEEESKILL, N. Y., Jan. 7.-Mrs. Caroline Hart: of Newburg, who was arrested yesterday out suspicion of having caused rhe death of Mrs. John E. Ryan, was remanded to the custody of Sheriff William Molloy at White Plains to-day by order of Coroner Perley H. Mason. The Coroner's jury satthis afternoon and a portion of the evidence regarding Mrs. Ryan's death was

Dr. Charles Mason and Dr. C. R. F. Greene. who performed the autopsy, testified that the

she said that a woman came to her home's on Monday last and wanted her mother to go to Peekskill on Friday to see such the woman there, who was sick. She does not know who the caller was, but when she had gone her mother said: "It was a good thing that I wan't out when she called." The girl said that her father, Fergus Hort, died in Lancashire, England, seven years ago. He was also, she said, a "medical betanist." The family came to this country soon after the father's death, and Mrs. Hart has supported the family since by practicing medicine. T.ef have lived in this city about six years.

Died in the Steerage of the Noordland

Coming Here from Russia. Isaac Golubow, the 6-year-old son of a Russian Jewess who arrived last night on the Red Star steamship Noordland from Antwerp, died Star steamship Noordland from Antwerp, died of alcoholic poisoning on Dec. 28 and was buried at sea the next day. The mother had a pint bottle of Yodka under her tillow. Before going to sleep she drank a part of it. In the night the child awoke, found the bottle and drank the rest of the liquor. When the mother got up she found the child unconscious. Dr. F. Caliwell, the ship's surgeon, tried ineffectually to revive the boy. Mrs. Golubow is coming to her husband, an American citizen, who lives in New York. She has three children older than the boy who was polsoned.

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Is Dr. Humphreys' Specific for Coughs, Colds, Influenza and

Pneumonia Prevented.

The early use of "Seventy-seven" will prevent Grip and Pneumonia. One of the strongest points of "77" is its sustaining powers during an attack of Grip; the vitality of the system never lage and you come out feeling almost vigorous, instead of a debilitated Grip-wreck-full of

aches and pains. If you will carry a vial of "77" and take frequently you will escape the Grip.

At druggists or sent prepaid; 25c., 50c. & \$1.00. Humphreys' Mod. Co., Cor. William & John Sta., New York. He sure to get

HUMPHREYS

Paur's Orchestra of 100. METROPOLITAN OPERA HOUSE,

Black for robes, handsomely lined, 60 by 66, \$10; larger sizes, \$15, 240, \$25, \$30 and \$35; a reduction of \$5 to \$10 on a robe. Black bear robes, \$125 to \$200; red fox, \$60 to \$85. C. C. Shayne, 42d St., near 6th Av.